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C O N F I D E N T I A L SECTION 01 OF 03 SANTO DOMINGO 002819

SIPDIS

SENSITIVE

STATE FOR WHA, WHA/CAR, WHA/PPC, DRL;
NSC FOR SHANNON AND MADISON; SECDEF FOR OSD;
USCINCSO ALSO FOR POLAD; TREASURY FOR OASIA-LCARTER
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USDOC FOR 3134/ITA/USFCS/RD/WH; DHS FOR CIS-CARLOS ITURREGUI

E.O. 12958: DECL: 05/18/2010

TAGS: [PREL](#) [PHUM](#) [PGOV](#) [DR](#) [HA](#)

SUBJECT: DOMINICAN REPATRIATIONS TO HAITI HAVE ENDED

Classified By: DCM Lisa Kubiske. Reason: 1.4 (a) and (d).

1. (U) Summary. The Dominican government has suspended the rounding up and deportation of undocumented Haitian immigrants from the northern border area, following conflicts and threats of mob action in the town of Hatillo Mayor, Montecristi Province. Operations were carried out under supervision of Migration officials from the capital and included formal review of documents. Dominican military reportedly processed 1918 individuals May 13-15. Departing Haitians lost property. Dominican Foreign Minister Morales Troncoso received his Haitian counterpart in Santo Domingo on May 17 shortly after announcing that deportations were being suspended. End summary.

A Murder and Reprisals

2. (C) Early on the morning of May 9, a group of Haitian males was in a neighborhood store in the town of Hatillo de Palma in the northern border province of Montecristi when the woman store owner was murdered and her husband was seriously wounded. Three Haitians were taken into custody and turned over to the local police, while another, allegedly the ringleader, appears to have escaped. Residents of the town reacted angrily, threatening members of the community of about 2000 Haitians in and near the town. The town mayor and local police force appealed to the military, and by mid-day Gen. Caceres, the commander of the region convened a meeting at the municipality, where he urged calm, with little effect. Dominicans threatened and robbed Haitians. As the Haitians left the town, the Dominicans pillaged the abandoned residences. A Dominican-Haitian contact of ours visited the town the day following the incident and participated in meetings with the mayor. Our contact found that Hatillo de Palma was "very dangerous" with "vigilante" type behavior. Residents of the small town were rounding up Haitians and those who looked like Haitians in order to take them to the border and force them out of the country. They were expressing angry anti-Haitian and anti-black sentiments, in keeping with rural custom of seeking retribution through reprisal.

3. (C) Over the period May 11-13, the Dominican military appeared in Haitian settlements in the area, beginning with Hatillo de Palma. They arrived with buses, accompanied by Migration officials from the capital, and carried out a systematic sweep intended to repatriate illegal aliens. Virtually all of the 2000 Haitians in Hatillo de Palma had already departed. We understand that Haitians were prevented from departing the sites after arrival of the military, even if they had already loaded vehicles with possessions. They were obliged to leave behind most possessions. Gen. Caceres told Embassy officers on May 18 that the operation had been previously scheduled. It was a routine operation, he said, in which Haitians were detained, put on buses and taken to the military garrison in Mao for review of documentation and processing for deportation. The general said that migration officials reviewed each case; some of the detainees presented documentation that was judged to be false. Any with legitimate residence documents or identity cards were allowed to stay. He gave no indication how many, if any, were found to be legal residents. The three Haitians accused of the murder are being detained at the military garrison in Mao.

4. (C) Operations stretched over several days. According to the general, the troops proceeded in good order, respecting rules of engagement. They were fired upon three times during the operations but did not return fire. Bishop Abreu in Mao told Embassy officers that he deplored the attitudes of the mob, including the widespread looting, but he questioned whether the military had made any effort to differentiate between the illegals and Dominicans of Haitian origin.

5. (C) Military authorities in the capital recorded the following numbers repatriated through the border crossing at Dajabon:

13 May: 698
14 May: 608
15 May: 612
16 May: 0

They commented that this type of activity is cyclical and in the overall scheme of things, this incident was fairly "normal.⁸ The situation at the border had returned to normal as of Monday, May 16, and they do not anticipate any additional violence, repatriations or other repercussions based on the incident in Hatillo de Palma.

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Legal Situation
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16. (SBU) The Migration Law enacted last year appears to provide adequate authority for these proceedings, since no implementing regulations have been issued and the law is subject to broad interpretation. We understand that a first draft was prepared in February of this year but it has not yet been provided to government agencies for consultation. In addition, there are potential contradictions between the Dominican Constitution and certain aspects of the law, such as, for example, the legal definition of "transient" (the Constitution does not provide citizenship for individuals found to be "in transit" in the Republic).

17. (SBU) Acting chief of the local office of the International Organization for Migration Fanny Polonia provided to us a list of applicable international conventions and treaties to which the Dominican Republic is party, but she stressed that while these establish rights and obligations, the contracting states have the responsibility for creating mechanisms to assure observance. Polonia indicated that IOM could offer technical assistance, if requested, on assuring that regulations and procedures elaborated by the Dominicans are in keeping with international obligations, and IOM could provide training, as it did recently with a well-attended seminar for migration officers on trafficking in persons.

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Commentaries and Bilateral Situation
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18. (SBU) Newspapers have done reporting based on various sources, including complaints from non-governmental organizations, particularly catholic social organizations, active in the Dajabon area. Some claim that as many as 3000 persons were repatriated. Stories have focused on individuals claiming that their legitimate documentation was not accepted and on cases of hardship and family separation. There have been no reports of any lynchings or murders. Senator Sucre Munoz of Barahona province close to the southern border told a journalist that a group of hooded vigilantes had hassled a group of twenty to thirty Haitians and turned them over to the police for repatriation by the migration service.

19. (U) Newspapers indicated that Haiti had closed the border briefly, but we have no confirmation of this. On May 17 Dominican Foreign Minister Carlos Morales Troncoso met for an hour in a Santo Domingo hotel with his Haitian counterpart Herard Abraham and announced cessation of the repatriations "for the moment." The two ministers announced plans to reactive a binational commission to protect the rights of persons on both sides of the border. They appeared in media photos smiling and shaking hands, reaffirmed "harmonious bilateral relations," and pledged to seek solutions to any differences.

10. (U) Earlier that afternoon Morales Troncoso issued a press release "lamenting the inconveniences and bad feelings that the repatriations of Haitian citizens may be causing." He pledged the Government's "absolute adherence to the constitutional order and Dominican migration law as well as prevailing international norms on this subject" so that the repatriation process is conducted in accord with national migration law as well as international human rights norms to which the Dominican Republic is a signatory. According to the statement, Dominican authorities "have been instructed to avoid actions that might harm the physical or moral integrity of Haitian citizens that live in our territory."

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Next USG Steps
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11. (U) Embassy officials will pursue at all levels the issue of repatriations of undocumented Haitians, pressing for greater respect for international norms of humane treatment. We will also follow up on our success last year in securing passage of an updated Migration Law by pressing for completion and decree of implementing regulations.

HERTELL